

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 05-10112 RCL
)	
COMMONWEALTH OF)	
MASSACHUSETTS, <i>et al.</i> ,)	
)	
Defendants.)	
_____)	

**DEFENDANTS' ASSENTED-TO JOINT MOTION
FOR ENLARGEMENT OF TIME TO FILE OPPOSITION MEMORANDA**

Pursuant to Local Rule 7.1(B)(2), and with the assent of the Intervenor-Plaintiffs, the Defendants and Intervenor-Defendant move that the time for filing their respective oppositions to Intervenor-Plaintiffs' Motion for Summary Judgment be enlarged through and including Thursday, June 19, 2008. As grounds for their requested enlargement, the Defendants and Intervenor-Defendant assert:

1. This is a highly complex preemption case. Not surprisingly, Intervenor-Plaintiffs' Motion for Summary Judgment is itself quite complicated, as well demonstrated by the 26-page Memorandum filed in support of it. The Defendants and Intervenor-Defendant accordingly need additional time to prepare their respective oppositions responding to it.

2. Counsel for both the Defendants and Intervenor-Defendant are in the midst of busy litigation schedules, with other complex matters competing for their time over the next several weeks.

3. Counsel for the Intervenor-Plaintiffs has courteously assented to the requested enlargement of time.

For the foregoing reasons, the Defendants and Intervenor-Defendant respectfully request that the Court allow Defendants' Assented-To Joint Motion for Enlargement of Time to File Opposition Memoranda and enlarge the time for filing oppositions to Intervenor-Plaintiffs' Motion for Summary Judgment through and including June 19, 2008.

For the Intervenor-Defendant
Coalition for Buzzards Bay,

For the Commonwealth of Massachusetts
and the Other State Defendants,

MARTHA COAKLEY
ATTORNEY GENERAL

/s/ Jonathan M. Ettinger
Jonathan M. Ettinger, BBO # 552136
Elisabeth M. DeLisle, BBO # 658067
Foley Hoag LLP
Seaport World Trade Center West
Boston, MA 02210
(617) 832-1000
jettinger@foleyhoag.com

/s/ Pierce O. Cray
Pierce O. Cray, BBO # 104630
Seth Schofield, BBO # 661210
Assistant Attorneys General
One Ashburton Place
Boston, MA 02108
(617) 727-2200, ext. 2084
pierce.cray@state.ma.us
seth.schofield@state.ma.us

Date: May 23, 2008

LOCAL RULE 7.1 CERTIFICATION

I hereby certify that on May 19 and 21, 2008 I conferred with counsel for the Intervenor-Plaintiffs via an exchange of voicemails and that he assented to the present Motion.

/s/ Pierce O. Cray
Pierce O. Cray
Assistant Attorney General